

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Kenny Edwin Story,

Plaintiff,

v.

Brook Fowler, Bureau of Prisons,  
Warden Reese,

Defendants.

Civil No. 10-3836 (RHK/JJG)

**ORDER ON REPORT AND  
RECOMMENDATION**

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The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge Jeanne J. Graham. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 4) is **ADOPTED**;
2. Plaintiff's application for leave to proceed in forma pauperis, (Doc. No. 2) is **DENIED**; and
3. This action is **DISMISSED WITHOUT PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: October 27, 2010

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge